

The University of California@150\*

**THE RISE OF THE PUBLICS:  
American Democracy, the Public University Ideal, and the University of California**

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**ABSTRACT**

In the post-Revolutionary War era, private institutions dominated America's emerging higher education landscape, all tied to sectarian communities and often with limited forms of public financing. The United States could have sustained that dominance, essentially differing to the private sector in expanding access, and delaying the "rise of the publics." This did not happen. A major turning point came in the mid-1800s. Private colleges seemed incapable or simply not interested in serving the broader needs of American society. Institutions such as the University of Virginia, and the new state universities in Michigan, Wisconsin, and Minnesota, offered the first examples of a new institutional breed. Each was borne out of public debates regarding the purpose of public universities in a new nation, including the initial idea of a federal university. Out of this early period of institution building came important ideas on the potent role of higher education in shaping the American experiment, intimately linked with revolutionary ideas on human abilities and the requirements for creating a functioning, participatory democracy. By the mid-1800, state governments, with federal government prompting, launched a dramatic number of new public universities distinct in their governance, in their commitment to broad access, in the scope of their academic programs, and in their commitment to public service. This essay explores these debates and how they influenced institution building, with a focus on the establishment of the University of California by an act of the California legislature – the 1868 Organic Act. In its stated purpose, governance, and planned academic and professional programs, California's Land-Grant University embodied all the elements of this new breed of public universities with the intent of shaping a progressive society.



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There is nothing which can better deserve your patronage than the promotion of science and literature. Knowledge is in every country the surest basis for happiness. Whether this desirable object will be best promoted by affording aids to seminaries of learning already established, or by the institution of a national university, or by any other expedients, will be well worthy of a place in the deliberations of the Legislature.

George Washington, message to Congress January 8, 1790

The University of California turns 150 this year. Established by state lawmakers in 1868, California's public Land-Grant university began as a fledgling effort reflective of other states to build a network of public universities and colleges. But it eventually emerged as the nation's first multi-campus university that, with the financial investment primarily from state coffers, but also federal and philanthropic monies, became the world's premier public university. While much is distinctive about the history and

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\* The University of California celebrates its 150 years since establishment in 1868 by an act of the California legislature. This article is the first in a series to be published by the Center for Studies in Higher Education related to the history of the University of California and more broadly America's unique investment, and faith, in public universities. This ROPS version updated on February 12, 2018.

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role of UC, tied intimately with the history and economic development of California, its roots are strongly linked to the ethos of the American public university that emerged in the early 1800s.

A distinct characteristic of America's contemporary network of higher education is the diversity of institutional types found in no other major economy. This includes a mix of public and private colleges and universities. The path to this diverse system lay in the dominance in the early 1800s of a great number of private denominational colleges, all tied to sectarian communities and often with limited forms of public financing.

The United States could have sustained that dominance, essentially deferring to the private sector to serve the educational needs of young nation, and delaying the "rise of the publics." This did not happen. A major turning point came in the mid-1800s. Private colleges seemed incapable or simply not interested in serving the broader needs of American society. Institutions such as the University of Virginia, and the new state universities in Michigan, Wisconsin, and Minnesota, offered the first examples of a new institutional breed. Yet each was borne out of public debates regarding the purpose of public universities in a new nation, including the initial idea of a federal university.

In the decades after the Revolutionary war, important ideas emerged on the potent role of higher education in shaping the American experiment, intimately linked with radical ideas on human abilities and the requirements for creating a functioning, participatory democracy. In addition, an important 1816 Supreme Court Case involving Dartmouth College gave greater cause for state lawmakers to invest public funds in public universities and colleges.

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By the mid-1800, state governments, with federal government prompting, launched a dramatic number of new public universities unique in their governance, in their commitment to broad access, in the scope of their academic programs, and in their commitment to public service. After the Civil War, and with the passage of the 1862 Morrill Act by the federal government, other experiments followed, creating a full-fledged public university movement that touched every state in the Union: the rise of the publics.

The following narrative explores these early debates and how they influenced institution building, with a focus on the establishment of the University of California. In its founding legislation, California's Land-Grant University embodied all the elements of a new breed of public universities intent, if not always the outcome, to shape a progressive society.

In forging the ideal of the American university, the great institutions of Europe remained the only major reference point. A number of prominent political leaders, including Thomas Jefferson and George Washington, saw a different path for America, yet built on the triumphs of European institutions and intellectual thinkers. In the American view, education could perpetuate social and class distinctions, or it could break them; colleges and universities could simply preserve knowledge, or they could be a great catalyst for new ideas and for expanding America's economic and democratic experiment.

### HIGHER EDUCATION AS SYMBOLIC

America embraced the idea of higher education for the masses early relative to other nations. But why? The answer lies in both new ideas on human nature and talents, in revolutionary notions on the rights of the individual, and in the belief in a decisive role of government and public institutions to shape a new American society.

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For the most part, Europe's revolutionary thinkers influencing America's political leadership were not affiliated with any university. Many disparaged the eighteenth-century university as monk-like -- self-sustaining communities largely separate from the intellectual advents of an emerging scientific age. Scientific and philosophical advances tended to be the work and musing of the curious gentleman, and supported by associations like the Royal Academy in England.

Yet across the Atlantic, a different vision emerged. In the decades after the Revolutionary War, many of America's political leaders envisaged a collection of colleges and universities as central agents of maturation for a young nation born in the glow of the enlightenment. In virtually all efforts at institution building, Europe stood as a powerful influence, good and bad. Europe was a symbol of culture and intellectual development, yet also a despised home of a repressive society built on undue privilege and inequitable power. In the struggle for independence, Americans first understood what they were against, and slowly what they were for.

The love-hate relationship with the Old World very much colored the ideas of prominent American leaders such as Thomas Jefferson. In Jefferson's view, and that of other national leaders, the Old World systematically used its educational institutions to steadfastly maintain a corrupt social class system, justified by prevailing notions by the ruling elite of a divine order. Under this corrupt rubric, socio-economic mobility was not to be nurtured, but restrained. Influenced heavily by Europe's own critics such as Rousseau and Locke, American political leaders viewed overt control by the state, whether monarchical or otherwise, and state sanctioned religion as the chief sources of misery, poverty, and moral depravity. The net result was pent up anger and despair among the masses that, in the case of France, resulted in violent social upheaval.

Coloring the sentiments of Americans was a new sense of optimism and a belief in the human spirit. Looking across the Atlantic, the foundation of European society seemingly lay in the assumed evil predilections of the soul. Europe's monarchies, the church, and its social structure, combined to constrain the destructive behaviors of the masses. In contrast, America's political leaders professed the innate goodness of humankind. America's constitution spoke of "life, liberty, and the pursuit of happiness." It offered the idea of the state as a facilitator for a full and meaningful life, and not as a Hobbsian tool of social order. Rousseau's admonition was widely believed: "nature has made man happy and good," yet it was European society that systematically "depraves him and renders him miserable."<sup>1</sup>

Though founded on Puritan sentiment and the importance of the individual, Americans, federalist and Jeffersonians alike, saw the state as both the potential problem, and the potential solution. Fundamentally, the state would shape the structure of society, and deliberately reduce suffering and empower the individual.

The Enlightenment taught the virtue and indeed superiority of human reason over superstition. Its ideals gave rise to the notion of scientific inquiry, the accumulative process of creating new knowledge, and the idea of natural laws. This in turn elevated the sense that society could be shaped for the better. Under the right circumstances and nurturing, government and communities could sustain the goodness of man. Most importantly, there was the potential for a new and radical thought: perpetual progress. An unlimited future awaited an enlightened people. Here were the seeds of new ideas on human capital and the possibility of socio-economic engineering. The key was to provide the individual with not just freedom, but opportunity.

Indefinite improvement became an American obsession. In the years after the American Revolution, a consensus developed among key political leaders that a necessary element for insuring progress, and a functioning democracy, was an increasingly educated citizenry.<sup>2</sup> The idea of the public university was one such experiment.

Altruistic and philosophical motivations aside, other more mundane reasons for establishing public universities existed. New states also were desperate for public institutions that could bind their communities and promote their affluence. Status anxiety accompanied the critical observations of European society. Colonial America was a cultural backwater, a fact that many of its inhabitants were painfully aware of. Education and higher learning offered the hope of cultural development and civility. But how to promote education and in what forms became the focal point of debate. Should it be promoted by a federal government, or left to the states, or simply to local initiative and private benefice?

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## THE PRIVATES

America included only a small number of colleges in 1779 with the emergence of the first Continental Congress. Grand ideas met the realities of a nation just getting on its feet. State governments were rarely able to think expansively about promoting education. The sparse collection of academies and colleges had their roots in Royal Charters and local community interests. Under the imported rules of England's parliament, colonial governments usually offered only one educational charter within their respective borders.

In Colonial American, chartering was used by the British as a mercantile tool, establishing a monopoly where one sanctioned institution or company was allowed to operate under the watchful eye of the crown's assigned governors. Chartering permitted the establishment of business enterprises as well as colleges (what were more like academies), often included formal and paid roles for colonial officers on governing boards, and meager financial subsidies from local taxation.

Unlike their English counterparts, the colonial colleges varied in their denominational affiliation, reflecting an increasingly diverse aggregation of ethnic and religious groups in America. The colleges operated initially without a body of learned instructors found in their European counterparts. Instead, they relied largely on each new crop of graduates to create a core of teachers. In all,

eight colonial colleges were established including the College of William and Mary, Collegiate School (Yale), the College of New Jersey (Princeton), Kings College (Colombia), Harvard and the University of Pennsylvania.

The colonial college trained America's clergy, and increasingly the laity of a denomination, subsumed by sectarian influence, and reinforcing the local class structure. They found their curricular model in standard classical courses offered in Europe, and particularly England. Out of these colleges came a number of the nation's most captivating leaders, many who embraced the ideals of higher education, but also rejected the staid condition of the colonial colleges in the aftermath of the American Revolution. For a young nation yearning for legitimacy, and its own breed of civic participants and leaders, promoting the establishment of colleges and the emerging ideal of the university was an absolutely fundamental component for nationhood.

### WHY NOT A FEDERAL UNIVERSITY?

Benjamin Rush, a native of Pennsylvania and former student at the University of Edinburgh, insisted on the creation of a federal university as the appropriate first act of the new Congress. America's great experiment, thought Rush and many of his contemporaries, should build on the intellectual triumphs of Europe. Indeed, there was much to envy. Ultimately, however, America's proposed university was to be quite different in its purpose and clientele. An American university should shape a new and distinct social order.

"Should this plan of a federal university or one like it be adopted, then it will begin the golden age of the United States" exclaimed Rush in a 1788 pamphlet published in Philadelphia and intended for those who gathered in the first Continental Congress. In a society dominated politically by farmers, small merchants and artisans, the concept of a public university as a source of intellectual development and civic leadership would offer a sharp contrast to the class inbreeding of the major European powers.

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Citing the inequities of Europe's social order was a popular clamor in an age obsessed with revolutionary ideas on the rights of men. "While the business of education in Europe consists in lectures upon the ruins of Palmyra and the antiquities of Herculaneum, or in disputes about Hebrew points, Greek particle, or the accent and quantity of Roman language," charged Rush, "the youth of America will be employed in acquiring those branches of knowledge which increase the conveniences of life, lessen human misery, improve our country, promote population, exalt the human understanding, and establish domestic, social and political happiness."<sup>3</sup>

America's first four presidents essentially agreed with Rush. Each sent requests for Congress to establish a federal university. All argued that such an institution should not interfere with the promotion in each state of numerous colleges and universities. A federal institution, however, would, as George Washington announced to Congress in 1796, not only capture and articulate the "principles, opinions, and manners of our Country men, but the common education of a portion of our Youth from every quarter." And by drawing on talented students from the different geographic locations, and from different walks of life, the precarious Union, still in the midst of defining its purpose, would be strengthened.

James Madison argued as much some fourteen years later. This new "temple of science" could, in due time, provide benefits of civic leadership to "every part of the community; it might diminish "sources of jealousy and prejudice," and enhance "features of national character" and promote social harmony. "But, above all, a well constituted seminary in the center of the nation, is recommended by the consideration that the additional instruction emanating from it would contribute not less to strengthen the foundations than to adorn the structure of our free and happy system of government."<sup>4</sup> Madison ached for the symbolic act of creating and nurturing institutions of higher education.

But the most powerful voice and persistent effort came from Thomas Jefferson. He was keenly aware that previous attempts at popular government were failures. This was because of special disfavoring conditions; the long habit of submitting to despotic authority debilitated the people and their will to exercise their rights; on other occasions the principle of popular government was violated by naive delegation of too much power in the hands of a few.

Jefferson had no qualms with the seeming contradiction regarding the national university and his insistence on a weak federal government. He saw in the conditions exhibited by the American colonies the first real opportunity for establishing liberty. A thorough system of education, including primary schools and the university, were essential ingredients.

In an ode to Jefferson's efforts, biographer Albert Ellery Bergh wrote in 1905 that the Virginian "did not believe that any nation or community could permanently retain this blessing without the benefit of the lessons of truth, and the discipline of virtue to be derived only from the intellectual and moral education of the whole people."<sup>5</sup> A national university offered an essential tool for

individual attainment and for creating a national culture; but to no less a degree, Jefferson hoped it would become the intellectual forum for developing the “science of government.”

In this regard, Jefferson, like Washington and Madison, celebrated the role of Oxford and Cambridge in producing a well-educated class of civil servants needed to run the public affairs of a nation. Throughout his presidency, Jefferson retained his conviction that a federal university serving the entire nation was the only realistic hope of establishing a truly great university, one that could rival any and all European institutions in their intellectual content and influence.

The admonishments of these politically influential leaders, however, resulted in no act by Congress.<sup>6</sup> One reason was the persistent political opposition against virtually any role for a federal government in the governance of the nation. The ideal of a national university seemed a distinctly federalist vision—despite Jefferson’s admonishments. But perhaps the most powerful reasons for its failure in Congress were threefold.

First, the colonial framework of charting created an assumed right for state and not federal control over education. This was the rubric offered in the U.S. Constitution, which made no reference to education at all, thereby defaulting to the states the role of chartering, regulating, and funding institutions. In turn, most state governments initially showed little interest in the business of establishing new colleges. Instead, they became increasingly liberal in their granting of charters to denominations willing to establish a college. And they readily distributed to these private concerns a small source of funds generated by federal grants of land to states for the purpose of promoting education. In the period between the Revolutionary War and 1800, some sixteen new colleges were established in this manner. In the decades that followed, hundreds of charters were issued usually with no allocation of public funds.

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Second, the financial problems faced by the federal government were substantial. Garnering federal funds for a national university proved a major hurdle. And third, few in Congress thought establishing a national university was a high enough priority in relation to competing demands. Burdened by debt from the revolutionary war, fearful of further military encroachments by European powers, and grappling with issues of taxation, the regulation of commerce, and rebuilding defenses, Congress left the job of establishing and managing higher education institutions, both public and private, to the states.

The long-term implication of this decentralized approach to higher education in the U.S. was tremendous. In Europe, the church, as essentially an extension of national governments, and eventually centralized ministries of education, regulated and dictated the form and content of higher education throughout a nation. Monopolistic tendencies dominated, creating institutions regulated by national institutions and serving a small class of elites.

In contrast, the American model fostered a great variety of educational experiments, reflecting a powerfully pluralistic society. States varied greatly in their interest in supporting colleges with public funds, but all became extremely liberal in their granting of charters, in part because ethnic and religious groups sought to establish institutions to serve their own communities.

In turn, the general lack of government funding caused private colleges to seek support from local benefactors and their affiliated denomination. Colonial and then state governments gained small allocations of land first from the crown, then the national government, to sell and promote education, public or private. The flow of monies to the growing number of denominational colleges was often meager or non-existent, with government more likely to support schools. The exact relationship of government with private colleges and academies remained undefined, resolved only by the famous court case involving Dartmouth College—a topic we will return to.

At the same time, the market did not provide enough demand to set tuition sufficiently high to cover a college’s operating costs. As Martin Trow noted, this fostered a culture of begging that grew in its scope and tenacity over time: “they begged from their neighbors, from members of their affiliated church, from local and state governments and later from the federal government, from students and later alumni, who were, in a way, surrogates for communicants.”<sup>7</sup> There seemed no shame in asking for support, and colleges purposely developed lifelong relationships with former students.

But even more importantly, the reluctance of government to support private institutions, particularly in the South and the West, reinforced their independence and autonomy from government on the one hand, and their dependence on the market for students on the other hand. The liberal granting of charters by states, with few to no restrictions on the operations of private colleges, created a sector that sought market opportunities. Initially this often resulted in low academic standards, financial insecurity, and high failure rates; but it also led to a vibrant core of institutions unlike those found in any other nation.

Born out of the debate over a federal university came a set of ideas that set the stage for our modern notions of the social contract of public universities and colleges. The attractiveness of a federal university was, in part, a reaction to character of the small sectarian college. In the view of many lawmakers and advocates of public education, the “old time college” remained steeped in classical studies and religious moral training. It was divorced from the enlightenment that so heavily influenced the ideals of the American Revolution, and from the democratic and economic needs of the new nation.

### **SEEKING AN IDEAL AND BATTLED THE OLD ORDER**

The trials and tribulations of Thomas Jefferson’s efforts to fashion a new American university are illustrative of a perceived void left by the nation’s initial reliance on private and sectarian forms of education. Jefferson was the guiding intellectual in proclaiming the rights of states and, in turn, combating Whiggish thoughts of federalism. He generally opposed their grand plans for an activist federal government building harbors, clearing waterways, encouraging manufacturing, and intervening in the life and economy of the nation. However, Jefferson joined federalists Rush, Washington, and even his nemesis (and later friend) John Adams in preaching the value of a federal university, and more generally in seeking support for science.

America could not simply watch the scientific progress of Europe. It needed to take part in the transatlantic birth of new ideas. But how to marshal the forces to accomplish this feat? Following the repeated rejections by Congress, Jefferson proposed reforming the curriculum of his alma mater, the College of William and Mary. Failing at that, he turned to the idea of a public university for the state of Virginia.

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Jefferson’s inability to persuade the board and faculty at William and Mary to seek curricular reform reinforced his sense of the separateness of most private colleges and local academies from the larger needs of American society. In the main, the colonial college was a vestige of an old order, a service for gentleman, and protective of class and sectarian distinctions.

In 1800, the estimated total faculty of the twenty-five colleges in existence had fewer than one hundred instructors and two thousand students. Harvard and Yale were created as tools of the Congregational Church; Columbia (what was Kings College) served Episcopalians; Princeton the Presbyterians, while Rutgers was an affiliate of the Dutch Reformed, and Brown was an offspring of the Baptists.

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In the English model, each provided dormitories, dining halls and enforced chapel attendance with a devotion to evangelical doctrine. Though there were differences in local markets, social class standing was important in the process of admissions. Harvard, modeled on Emmanuel College in Cambridge, not only required courses to be taught in Latin, the language of the church and the upper-class Brahmins of Boston. The college also maintained a public listing that ranked a student’s family social status. Yale and other colleges did the same.

Colleges hired faculty almost exclusively according to their religious affiliation; the president was almost always a minister of the prescribed church. Harvard, Yale and many other private colleges did not depart from this pattern until the late 1800s. Yet out of the practical need to recruit and enroll students, admissions at many colleges gradually became more liberal, accepting those from a variety of Protestant faiths—though often enforcing church attendance in the official denomination. Princeton is one such example. “In religiously heterogeneous New Jersey,” notes J. Bruce Leslie in his study of four mid-Atlantic colleges, adherence to strict “sectarianism would have been suicidal.”<sup>9</sup>

By the 1840s a few notable institutions, including Harvard and Yale, began a debate on the merits of a transformation into non-denominational, multi-purpose colleges -- Christian in nature, but devoted to scientific ideals of inquiry. As later reformers of private college and universities, including Harvard’s president Charles Elliot, argued gently to their faculty and boards in the 1870s, denominational control and the pervasiveness of religious doctrine were, essentially, antithetical to modern notions of scholarship.

Julie Rueben noted in her analysis of the rise of the modern university that these reformers “believed that church sponsorship inhibited the development of scholarly enquiry” because of the predilection of boards to hire professors from their own denomination. Church leaders distrusted subjects and ideas that questioned the centrality of religion in interpreting the world. The last charge was the most serious. It raised the possibility that religion by its very nature was antithetical to intellectual advancement and, therefore, incompatible with educational institutions devoted to intellectual progress.”<sup>10</sup>

In a 1793 paper, Wilhelm Von Humboldt first outlined the importance of inquiry free of both religious dogmatism and state control.<sup>11</sup> This was the prerequisite for modern scholarship that united the functions of research and teaching. Humboldt also spoke of the ideal of *Bildung*, education in a broad sense, which aimed not merely to provide skills but also promoting self-cultivation and development as a path for creating a better society.

Jefferson identified with these arguments, and took heart in the great experiments at the University of Berlin and the University of Edinburgh. In 1800, less than a year before his first term as president of the United States, he began a long campaign to establish a great public university in his home state of Virginia.

### **JEFFERSON'S PUBLIC VISION**

In this expression of his desires for America, Jefferson adopted the ideals of the federal university to formulate a plan for a public university in Virginia. It would be worthy of public support in its “broad & liberal & *modern*” curriculum. It might afford “a temptation to the youth of other states to come, and drink of the cup of knowledge & fraternize with us.”<sup>12</sup> Indeed, it would become a model for imitation. But a public university could not, he noted, stand alone in the cause of serving a larger public good; it needed to be a part of a larger system of public schools.

Jefferson formulated three major requirements for all state governments in the area of education.

- First, states should be divided into districts or wards with one or more primary schools open to all students.
- Second, he advocated the establishment of academies or colleges, more selective and essentially preparatory for higher learning, and open to students of superior intellectual abilities.
- Finally, Jefferson's proposed University of Virginia would admit a select few, focused on the humanities and the sciences, all “taught in the highest degree it has yet attained.”

Jefferson imagined a meritocratic ladder that would extend from a network of public schools to the University of Virginia. “A system of general instruction,” he wrote to his friend and confident J. Cabell in 1818, was necessary to “reach every description of our citizens, from the highest to the poorest, as it was the earliest, so will it be the latest, of all the public concerns in which I shall permit myself to take an interest.”<sup>13</sup>

Under his proposed plan, primary schools would be organized into small districts of five to six miles, each of them to establish a school focused on teaching, reading, writing, and arithmetic, and broad subjects such as history. All citizens would be entitled to send their children for three years gratis.

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These schools would have a head teacher who would annually, “choose the boy of best genius in the school, of those whose parents are too poor to give them further education, and to send him forward to one of the grammar schools, of which twenty are proposed to be erected in different parts of the country, for teaching Greek, Latin, Geography, and the higher branches of numerical arithmetic.” Of the boys (for Jefferson talked only of the educational rights of white males) that would be sent,

. . . trial is to be made at the grammar schools one or two years, and the best genius of the whole selected, and continued six years, and the residue dismissed. By this means twenty of the best geniuses will be raked from the rubbish annually, and be instructed, at the public expense, so far as the grammar schools go. At the end of six years' instruction, one half are to be discontinued (from among whom the grammar schools will probably be supplied with future masters); and the other half, who are to be chosen for the superiority of their parts and disposition, are to be sent [to the University] and continued three years in the study of such sciences as they shall choose.<sup>14</sup>

Such a network of schools in combination with Jefferson's ideal university, offered the tools for a systematic cultivation of the best minds in the land. In this manner, he wrote, “we hope to avail the State of those talents which nature has sown as liberally among the poor as the rich, but which perish without use.” The university itself, he hoped, would be a shining example to both public and private colleges and universities. “The great object of our aim from the beginning has been to make the establishment the most eminent in the United States,” exclaimed Jefferson in another letter in 1818 to Cabell. It would act much like the once imagined federal university, “drawing to it the youth of every State, but especially of the South and West.”

To do so, the envisioned university must necessarily be elite, based on a meritocracy not social class, and structured on the model of the academy familiar to Jefferson: classical, exuding gentility, residential, a potential rival to the University of Paris and other great European institutions of learning.<sup>15</sup>

Jefferson's model of a public university also fit his desire for sustaining a yeoman society, a great community of enlightened farmers and a civil society that cherished culture, human reason, natural laws, inquiry, and social order. And while it would not be a godless institution, Jefferson and his supporters saw no central role for religion. Jefferson and his fellow deists felt that the duty of higher learning was not to search out God and to train clerics, but to study God's scientific laws and the marvels and tragedies of human activity. Indeed, using science to understand natural law was the only meaningful way to really know God.

In this view, organized religion had very little to do with either science or knowing god. Here were the seeds of secular humanism that would become central to the development of the American research university. In championing the idea of the primary school, Jefferson also urged a non-religious curriculum. Instead "of putting the Bible and Testament into the hands of the children at an age when their judgments are not sufficiently matured for religious inquiries, their memories may here be stored with the most useful facts from Grecian, Roman, European, and American history."<sup>18</sup> Once at Jefferson's imagined university, students would have a choice to pursue both advanced and classical and applied studies—a model which was more university than college. Under his plan adopted in 1824 by the university's Board of Visitors, eleven schools were to be established.

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A year later, eight were functioning, including a school for ancient languages, another for modern languages, and others for mathematics, natural philosophy, natural history, anatomy and medicine, moral philosophy, and law. Funding and perhaps political support was not sufficient for the planned schools of commerce, manufacturing, and for a school of diplomacy. A student, stated the board, would be free to attend courses and exams on an elective basis at any school. There was no University of Virginia degree. Initially, one could attain only a diploma after completing a set of courses in one of the schools. A student might roam for an unspecified period picking up diplomas here and there. The elective model built around these schools offered intellectual journeys.

The lawmakers of Virginia found modest comfort in Jefferson's university. By 1819, Virginia's General Assembly had approved the proposal to unite the small cadre of faculty and students at the existing Central College with a new University of Virginia. They accepted Jefferson's generous offer of both financial support and involvement in managing the institutions affairs—his last great campaign. The University of Virginia opened in 1825 with over a quarter of a million dollars spent on buildings alone largely funded and personally designed by Jefferson—a huge sum in its day.

Without Jefferson's involvement, Virginia would have undoubtedly waited decades before its state university emerged. The State Assembly embraced the idea of the university, but proved much less interested in the issue of tax funded public schools, or in Jefferson's elaborate schemes for a meritocratic ladder. Virginia's ruling elite, along with the plantation class of most of the other southern states, remained largely opposed to schooling as a distraction for the laboring masses. It was widely viewed as a cost that would overly burden the established landed-gentry. Here lies a major conundrum that vexed the building of American education, not only in the South.

The enthusiasm for universities as symbols of enlightenment, as the embodiment of a benevolently guided meritocracy, and hence as a tool of social engineering, were encumbered by the slow development of a healthy network of public schools. The two formed an educational ladder. But often the first rungs where missing. Future public university ventures would grapple with this gap. And on many occasions, legislatures would ponder the wisdom of funding the education of a few at a public university while schools languished.

*The enthusiasm for universities as symbols of enlightenment, as the embodiment of a benevolently guided meritocracy, and hence as a tool of social engineering, were encumbered by the slow development of a healthy network of public schools. The two formed an educational ladder.*

Without the common school or the notion of public high schools, the new public university in Virginia fed primarily the need of wealthy families. For these key constituents, a home grown and culturally sound university meant that they could forgo shipping their male offspring to northern colleges such as Princeton, or to Europe—each of which appeared influenced by abolitionism. It simply enhanced the gentlemen farmer culture and bolstered the management of society that the landed-gentry championed.

The new university reinforced the class hegemony, and sat safely within an economy and society addicted to slavery. There was no bold statement regarding who the University would serve—poor farmers, laborers, or the male family members of the landed gentry. Needless to say, it would not include women or former slaves. Such a cultural awakening would come much later.

Mr. Jefferson's university, his last enduring achievement, was bold and unique, costly, and ambitious. But in its mission and structure it failed to ignite the interest of existing colleges, or to immediately influence other state governments. However, Jefferson's vision did set out a number of general principles that would become highly influential.

- First, public universities needed to be part of a larger system of publicly supported education--part of a larger effort to create a "natural aristocracy."
- Second, public universities, and education, in general, should not simply be non-denominational, but secular.
- Third, the curriculum should include the sciences and modern disciplines, applied and professional fields of study, and the prospect of advanced studies, all rooted in Humboldtian idea of free inquiry, and the unity of research and teaching.
- And fourth, a public university should embody the ideals of a republic in its governance, in its access to society, and in its devotion to educating the nation's future civic leaders.

Private institutions could embrace some of these features, but most remained tied to their sectarian communities and, often, were wary of the new scientism. For Jefferson, the natural home of new ideas on science, on intellectual development, and for developing human capital lay in the future of the public university. But Jefferson was espousing ideas well before their time.

### **PRIVATE AND PUBLIC DEMARCTION DECIDED**

The immediate years after the war for independence created an environment supportive of private colleges, but also confusion with regard to their purpose and the authority of their governing boards. The Continental Congress continued the colonial tradition of providing grants of land to states to help them develop educational institutions. They could then sell the plots to help develop or support "seminaries of learning," leaving the organization and management of such endeavors to the states. State governments had little capacity to create and develop schools or colleges, and so looked to local communities and denominations to carry out the task, building upon the models offered by Harvard and other colonial colleges.

Such was the case with Dartmouth College located in the hinterlands of New Hampshire. Established under a royal charter in 1769 following the admonitions of local Congregationalists, this small and private college benefited from the financial support offered by the New Hampshire legislature. In an era of limited taxation and sparse government, New Hampshire garnered a small share of the federal allocation of land for educational purposes and promptly gave it to Dartmouth, and specifically to the college's governing board. Other states followed a similar path. As a convenience and in recognition of the need for local management by supporters, most states showed interest only in supporting institutions already established.

But how was the autonomy of Dartmouth to be defined and how would it serve the public good? The institution was not only charted by the state, it received public funds, much in the manner of English colleges like Oxford and Cambridge, with their royal charters and occasional funding from the crown.

By 1816, New Hampshire's legislature engaged in a political battle with the state governor and the Dartmouth board of trustees over the governance of the college. The contest focused on who could hire and fire the college president. The implications of the debate were significant. What was the respective role of the private college's board and state government in managing the college's affairs? The answer to this question would profoundly influence the subsequent development of America's rich and varied mix of public and private institutions.

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There were other profound implications. The case related to the future path of American capitalism: what was the proper authority of state government over all private corporations, whether a college or a business enterprise? The effort by the state of New Hampshire to resolve this fundamental question led to one of the most important court decisions in US history. In 1819, New Hampshire's native son Daniel Webster successfully argued before the U.S. Supreme Court for the preservation of the college's private autonomy, free of state control.<sup>19</sup> In so doing, Chief Justice John Marshall and the other members of the court explicitly rejected the mercantile framework that governed commerce and education in Europe and that placed virtually all authority in the state.

Marshall's opinion brought light to the vagary of state-supported colleges: "That education is an object of national concern, and a proper subject of legislation, all admit. That there may be an institution founded by government, and placed entirely under its immediate control, the officers of which would be public officers, amenable exclusively to government, none will deny. But is Dartmouth College such an institution?"<sup>20</sup> The court's answer was a no.

*Dartmouth College v. Woodward* provides a dividing line that not only preserved the autonomy of private colleges and universities and guaranteed a pluralistic network of institutions. It altered forever the interest of state governments in higher education. States were now wary of funding private institutions and sought public institutions that lawmakers could, to some measurable degree, shape and influence.

### A SHIFT IN THE MARKET

The oldest and most affluent private colleges increasingly catered to the needs of the upper social classes, enhanced by the establishment of men's social clubs and other mechanisms for social exclusion. And their presidents and faculty saw no role in changing this pattern. "Men are upon an equality only as they are equally upon trial in the sight of God," professed the President of Williams College in 1839 and in reaction to complaints of social and economic exclusion. Men should reconcile the "unavoidable inequalities of the present state" and take comfort in the knowledge that, "their circumstances were allotted to them by Him who best knew what trials they would need."<sup>21</sup>

The privates remained tied to their denominational origins and local constituents. Yale, Brown, Harvard, Columbia, and Dartmouth, for example, did not abandon compulsory church services until the late 1880s. And with a number of notable exceptions, the idea of practical studies found few supporters within these private academies.

In an attempt to consider the potential role of practical and scientific fields in the curriculum and culture of Yale, the faculty stated their preferences and existing bias toward the sanctity of the classical curriculum, strongly rooted in the classical languages. "Only the classical languages could provide the necessary disciplines and furniture of the mind," noted the report, a necessary building block for exercising the mind and providing a general foundation of learning. This focus was viewed as much more important than providing specialized education for a particular profession. The 1828 Yale Report was an influential rejection of applied studies as both crass and intellectually devoid—although the report was much more conciliatory, and indeed Yale would later be an innovator in developing scientific programs.

Two interrelated factors would help launch the public university movement. The first revolved around the boom and bust of traditional colleges, and a huge failure rate by 1850. The second was the perceived irrelevancy of most of the privates, and the inability of lawmakers to shape their affairs and management.

*But by 1860, some seven hundred private colleges had closed their doors in the previous decades. Many had struggled for years with fewer than one hundred students, some with fewer than thirty. Enrollment demand was declining.*

The two decades after the launch of Jefferson's university in Virginia saw a rapid increase in the number of mostly private colleges. "Higher education in this era grew chiefly by sprouting new colleges rather than expanding existing ones," notes Roger Geiger in an edited volume dedicated to a reassessment of the American college in the nineteenth century.<sup>22</sup> But by 1860, some seven hundred private colleges had closed their doors in the previous decades. Many had struggled for years with fewer than one hundred students, some with fewer than thirty. Enrollment demand was declining. This forced important reforms. Many softened their denominational restrictions, accepting students from other faiths largely to keep their doors open. At one time, most had been devoted to the training of ministers and serving a distinct religious community; increasingly, many saw their role as serving the immediate local community.

America was essentially a great network of small communities. The small private college, often with one or two professors, rarely as many as eight, fulfilled a need, and many would expand their curriculum and persist to the present day. Revisionist historians have shown that the traditional interpretation of America's growing collection of private institutions as staid and myopic fails to appreciate the great diversity of colleges. The transformation of many into multi-purpose colleges was more complex.<sup>23</sup>

*There were two basic reasons for the implosion: the seeming irrelevance of the curriculum in the old college, and an American society that viewed time spent on a collegiate education as a delay and distraction from working on a farm, or entering the job market and profit making.*

Yet there was a problem. In his famous 1850 report to the governing board of Brown University, President Francis Wayland commented on the phenomenon. There were two basic reasons for the implosion: the seeming irrelevance of the curriculum in the old college, and an American society that viewed time spent on a collegiate education as a delay and distraction from working on a farm, or entering the job market and profit making. Private colleges remained fixed on the ideals of training the clergy and gentleman. "Our colleges are not filled, because we do not furnish the education desired by the people," stated Wayland. Not only were colleges like Brown offering a service in which "demand is diminishing," he concluded: "We sell it at less than cost, and the deficiency is made up by charity. We give it away; and still the demand diminishes."<sup>24</sup>

## LOOKING WEST

The expansion of America's borders, the subsequent organization of new state governments, and their growing if belated interest in the role of higher education in state-building would shape the emergence of a great network of public Universities. But it would come only after a major financial push by the federal government during the American Civil War. Before then, many public colleges and so-called universities were initially founded by private initiative and later adopted by state governments in the wake of federal land grants for education.

The University of California is one example, built on the bones of the College of California located in Oakland. Many Americans continued to view education in all its forms as a luxury, and as a distinctly unwelcome and perhaps unconstitutional drain on their personal earnings. Private colleges also often fought efforts to establish and fund public higher education as unnecessary competitors for students. Why not simply provide public funding for private institutions? From another corner came a differing viewpoint: advocates of the common school argued for the building of public schools as the first priority, and investment in public colleges and universities as a development that would just have to wait.<sup>25</sup>

Doubts among lawmakers regarding the funding of public universities began to change, particularly after 1840. The luster of a state university as an agent of economic and social development grew. But there were regional differences in the chartering, growth and development of the public universities and colleges. In the more settled Northeast, and particularly the major states along the seaboard and stretching into Pennsylvania, private institutions tended to remain dominant. Indeed, many states were exceedingly slow in establishing and funding new public institutions. First and foremost, they had an existing infrastructure of private institutions that lowered the sense of urgency to create new public colleges and universities.<sup>26</sup>

Along the American frontier, early in the throes of state building, another story emerged. As America expanded its borders westward and encouraged settlement, newly created states promoted the establishment of private colleges, but placed most of their resources and hopes in new public institutions—often absorbing small and struggling private colleges in their wake.

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The first experiments in public higher education, such as the University of Virginia established, shared many of the constructs of the privates. They too emulated the model of the English college, loyal to the communal environment for student and faculty and a devotion to the classical education thought essential for gentlemen. The corporate model of the lay board governing the academic and financial affairs of an institution remained salient.

But the newer “state universities,” such as Michigan and Wisconsin were markedly different. Each established before the Civil War, lawmakers rejected sectarian affiliation, though not the ideals of Christian practice. Particularly in the West, sectarianism and its link with ethnicity emerged as a widely recognized dividing line in society, anathema to public institutions. Lawmakers preached the need of science and practical studies as a necessary component of a modern education.

Governance offered another contrast. While semi-autonomous under the corporate model, not surprisingly state universities remained subject to the desires of legislative government and the public purse. Governing boards almost always included not only local businessman and prominent professionals, but often the state’s governor and other influential ex-officio members. Charters stated that the public university must be broadly accessible and useful to the state that gave it life. Lawmakers and supporters freely professed romantic ideals for the state university.

While the move to create public universities was well underway by the 1860s, the Morrill Act of 1862 (also known as the Land Grant College Act and authored by New Hampshire congressman Justin Smith Morrill) was watershed legislation. Passed by Congress and signed into law by President Lincoln in the midst of the Civil War, earlier versions of the bill had been defeated largely by representatives from southern states who opposed public funding of education, in general. In their absence in Washington during their war of succession, Congress passed the Morrill Act with intent of establishing new public universities, or reshaping the activities of private institutions, to include practical studies and programs that would support regional economies and promote the edification of the masses. For these purposes, the Act stated that each state that accepted federal land would do so for the:

endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.<sup>27</sup>

The act also called on designated land-grant institutions to provide courses and training in military tactics: "The young men might have had more of fitness for their sphere of duties, whether on the farm, in the workshop, or in the battle-field."

While the federal government was short on cash, it did have vast stretches of public land, mostly in the West. The Act gave each state 30,000 acres of public land (known as "land scrip") for each Senator and Representative – a total of 17.4 million acres. The land was then to be sold and the money from the sale of the land was to be put in an endowment fund to support the operating costs of colleges in each of the states. The resulting funds could not be used to buy land or for erecting buildings. States could need to pay for that. State's accepting the land scrip would need to establish a college of agriculture or mechanical arts, or both, within five years.

Morrill hoped that the Act would lead to at least one, "college in every State upon a sure and perpetual foundation, accessible to all, but especially to the sons of toil." State's engaged in rebellion where not allowed to apply, but that would be changed after the war. And indeed, the stimulus caused a wave of new public colleges and universities, or shaped the activities of many existing private and public universities. More importantly, and in the spirit of the fight for a federal university, American higher education was given a major new incentive to meet the more applied and scientific needs of society. "To serve the whole community in its vast variety of needs became a creditable aspiration," once explained historian Walter Metzger.<sup>28</sup>

### CALIFORNIA'S LAND-GRANT UNIVERSITY

One of the stipulations in the Morrill Act was that each state formulate a proposal on what specific institutions would benefit and meet the stipulations of the Morrill Act before being given federal land-grants. Many states rushed to claim federal land. By 1867, twenty-two states had accepted land-grants via authorizing state legislation.

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The first land-grant institution established under the Act was Kansas State University on February 16, 1863. Other states created new institutions, including Illinois, Purdue (Indiana), Pennsylvania State (originally named the Agricultural College of Pennsylvania), Iowa State, Maine, Maryland, and Michigan State. Many states in the northeast focused the new funding on existing private universities, including MIT in Massachusetts and Dartmouth in New Hampshire. In New York, lawmakers chose to support the plans for Cornell University in Ithaca to open in 1868, using the funds to include public colleges agriculture and mechanical arts within a private university.

In Wisconsin, New Jersey, and Minnesota, states invested all their scrip proceeds in existing institutions – in the case of Minnesota reorganizing the fledgling college of agriculture in Glencoe, eventually moving to Minneapolis. Other states created agricultural and mechanical arts colleges (A&M), or "scientific schools," that often later merged with other public institutions.<sup>29</sup> In all, and after opening eligibility to southern states, and after the 1890 second Morrill Act, a total of 106 institutions are now "land-grant universities."

Entering the Union as a state in 1850, California's constitution called for the establishment of a university. Every self-respecting new state did so. But some fifteen years later, it had made no progress toward that goal within a society just emerging from its gold rush past and in need of stabilizing public institutions. The passage of the Morrill Act launched a debate regarding how the state should use the promised land-grants. In the case of California, all the federal scrip was located in the state.

One group of lawmakers and influential Californians thought it best to use the funds to establish a utilitarian polytechnic that would focus on the training of farmers, mechanics, and engineers. In this way, it could meet the immediate needs of California's economy then dominated by agriculture and mining. Some wanted to use the federal generated funds to support existing private colleges, like the fledgling College of California located in Oakland led by Henry Durant, and with a classical curriculum that reflected Durant's alma mater, Yale.<sup>30</sup>

With the Civil War over, and the federal deadline for establishing a college of agriculture or mining coming to an end, enough California lawmakers came to the conclusion that the state needed a public university that offered a broad range of academic and professional fields to lift the hearts and minds of the state's citizenry. Not unlike the status anxiety felt by those who lobbied for a federal university to be located in Washington after the Revolutionary War, boosters of a state university in California saw it as a vehicle that would foster civility in frontier California, nurture and retain

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talent, and promote economic development and opportunity. And like the early promoters of the public university ideal, Californians felt the status anxiety with the East Coast that Jefferson and others felt with Europe.

In 1868 lawmakers passed the Organic Act establishing the University of California. Similar legislation establishing the public universities in Michigan and Wisconsin informed the authors of the bill, including Assemblyman John Dwinelle. The new state university was to be an expansive experiment, absorbing the faculty and property of the College of California located in Oakland, and intended to touch in some way every citizen in every corner of a vast state.

The 1868 Organic Act included language reflecting old and new ideals of the American public university that would, in the course of the nation's history, fundamentally change American society. Its purpose was, "to provide instruction and complete education in all the departments of science, literature, art, industrial and professional pursuits, and general education, and also special courses of instruction for the professions of agriculture, the mechanic arts, mining, military science, civil engineering, law, medicine and commerce." It was to include a College of Letters, Colleges of "Arts" including for Agriculture, Mechanic Arts, Mines, Civil Engineering, as well as colleges for Medicine, Law and "other like professional colleges."<sup>31</sup>

In sharp contrast to private colleges and the few that began to call themselves universities, the University of California was to be a secular institution in the admission of students, in its curriculum and in its governance. As recently as the 1950s, many private universities, the famous and not so, used religious tests or other means (like standardized tests) to help weed out particular non-desirables for admission, and to guide the selection presidents and governing board members. UC followed the path of other major publics in the American West. The 1868 Organic Act stated:

. . . it is expressly provided that no sectarian, political or partisan test shall ever be allowed or exercised in the appointment of Regents, or in the election of professors, teachers, or other officers of the University, or in the admissions of students thereto, or for any purpose whatsoever; nor at any time shall the majority of the Board of Regents be of any one religious sect, or of no religious sect; and the persons of every religious denomination, or of no religious denomination, shall be equally eligible to all offices, appointments and scholarships.<sup>32</sup>

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California's public university was also to serve all California communities, then defined largely in geographic terms: "it shall be the duty of the Regents, according to population, to so apportion the representation of students, when necessary, that all portions of the State shall enjoy equal privilege therein." This ethos of statewide service, ingrained in the concept of the land-grant university, led states like Pennsylvania to require student representation from every county. As the University of California later grew in the number of campuses, it focused on the idea of service areas. The concept of state-wide service also fostered the development in 1891 of University of California Extension offering advice and information for farmers to housewives, and establishing numerous agricultural and marine research stations throughout California.

To encourage access in an era when the demand for a university education was not clear, the Organic Act stated the intention that tuition would be eventually free for Californians. "For the time being, an admission fee and rates of tuition, such as the Board of Regents shall deem expedient, may be required of each pupil except as herein otherwise provided; and as soon as the income of the University shall permit, admission and tuition shall be free to all residents of the State." Lawmakers assumed that the federal land granted via the Morrill Act, to be sold or leased and the proceeds placed in an endowment, would be sufficient to fully fund the university, eventually. This was an incorrect assumption.

In the initial statement of the university's purpose and policies, no provision was made for the admission of women. However, this failure was rectified in 1870 by the Board of Regents who stated, henceforth, the equal right of women to enroll at Berkeley, and with no quotas – commonly used at many of the great public universities to restrict females to twenty-percent or lower of the total student population.<sup>33</sup>

Reflecting the "corporate" model of a governing board reflective of chartered colleges in England (like Oxford), and the governing boards in America's colonial colleges established originally by Royal Charter, California's Board of Regents would have substantial powers to manage the university. What was relatively new, and again reflecting Michigan and other new publics, was the concept of having a lay board with members from a broad swath of California society and key elected officials, including the governor. There were to be twenty-two regents, including:

- Five ex officio members - the Governor, Lieutenant Governor, Speaker of the Assembly, the State Superintendent of Public Instruction (also an elected position), the President of the State Agricultural Society, and President of the Mechanic's Institute of the City and County of San Francisco.
- Sixteen Appointed: "to be nominated by the Governor, by and with the advice and consent of the Senate, who shall hold their office for the term of sixteen years." In the first year of the university's official operation, appointments included special Regents who served for less than the full sixteen years to stagger the appointment process and allow successive governors to appoint regents, and help avoid any one political party or interest group from dominating the board.<sup>34</sup>

Conceptually, the Board of Regents was to set policy. To manage the university, the Regents needed to appoint a President who served at the pleasure of the board. The Organic Act also established UC's Academic Senate consisting of, "all the Faculties and instructors," presided by the President, with regular meetings, and for the purpose of conducting the general administration of the University and "memorializing the Board of Regents [providing formal written advice]; regulating, in the first instance, the general and special courses of instruction, and to receive and determine all appeals couched in respectful terms from acts of discipline enforced by the Faculty of any college."<sup>35</sup>

The establishment of an Academic Senate in the legislation creating a public university was extremely unusual. It reflected a founding concept of the emerging model of the American university: the central role of faculty in guiding a public university's academic programs and management, particularly in an era of no significant support staff.

### IN THE BEGINNING

The Organic Act passed the legislature on March 5, 1868. Seventeen days later, Governor Henry H. Haight signed the act. In autumn 1869, and after officially absorbing the faculty and buildings of what had been the College of California, the new University of California began operation in Oakland. The Regents first met in 1869, and the new campus near Strawberry Creek in the Berkeley Hills opened in 1872 with two new buildings – North (still standing) and South Hall. A year before, Governor Haight proclaimed, "with patient zeal [the University of California] will soon become a great light-house of education and learning on this Coast, and a pride and glory of California, long after those who have assisted in its birth and watched over its infancy have passed away and been forgotten."<sup>36</sup>

The first three decades of the university's existence would be fraught with uncertainty, including political battles over its mission and role in a young state with a growing population. The State Grange, a political body representing farmers, vehemently argued that the new university in Berkeley was not doing enough to support agricultural interest California. Here were the seeds of an often-bitter debate regarding the proper curricular balance between practical education and classical studies. There was also public concern over the Regents' management of the federal land grants.

Shortly after his arrival from Yale, UC's second president, Daniel Coit Gilman (1872-75), repeatedly had to remind lawmakers of what the university was for: "the promotion and diffusion of knowledge." In a hearing in Sacramento, he stated that Berkeley must be "a university, not a high school, nor a college, nor an academy of science, nor an industrial school . . . Some of these features may indeed be included or developed within the university, but the university means more than any or all of them."<sup>37</sup> A debate over the soul of the public university would persist into the 20<sup>th</sup> century: was it to be a strictly utilitarian institution or a center for liberal arts education and for generated new knowledge.

Gilman would grow tired of the political fight with the Grange, and with many lawmakers, who desired to shape the university's mission and activities as they saw fit and who showed little interest in providing adequate funding for Berkeley. By 1875, Gilman left for Baltimore to help found Johns Hopkins University, a new private institution, with substantial benefice from its namesake. There he pioneered the innovation of graduate education as one cornerstone in the emerging American model of the research university.

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Partly as a result of the political fighting over control of the university, this in a decade of a severe draught, an economic depression, and race riots, the University of California was given the status as a "public trust" in California's second state constitution. Passed by voters in 1979, the new constitution gave The Regents, and the university's faculty and academic leadership, a substantial level of autonomy to manage its financial and academic affairs that, arguably, is one of the principle reasons for the university's eventual maturation into one of the great universities of the world.

The earlier debates over the idea and role of public universities in American society are all exposed, in one way or another, in the establishment of the University of California. It pursued a broad charge to include both practical and classical (humanities) studies; it was to be secular and publicly accountable; it was to be broadly accessible to all communities within the state, including women (although still reflective of the biases related to race and ethnicity of that and later eras)<sup>38</sup>; it was to engage with local and regional communities in order to seek their economic and social advancement; and it was to play a vital role for developing California's emerging network of public school and colleges.

At first, the University of California reflected the great experiments of other state universities. It was a fitful start. By the turn of the 20<sup>th</sup> century, however, it emerged as a leader and innovator in its organization, academic culture, and devotion to public engagement. By 1910, California's state university was among the largest universities in the nation and among the most prestigious, even if it was located in the far hinterlands of the West. It enrolled more women than any other institution. University faculty had developed the idea of the Associate of Arts degree and became the major proponents of the concept of the junior college (community colleges) with a guaranteed path for matriculation to the Berkeley campus. This and the development of the high school helped to create the first coherent public system of higher education.

By 1920, UC emerged as the nation's first multi-campus university with the acquisition of a state teacher college in Los Angeles – what became UCLA. University research experiment stations supported by the federal Hatch Act of 1887 created the foundation for major agricultural sectors, including grapes for winemaking and citrus. And beginning in the 1890s the university developed Cooperative Extension courses and programs that soon reached to every corner of the state.

In 1910, Edward E. Slosson authored the book, *The Great American Universities*. Regarding the University of California, Slosson claimed, "I know of no other university which cultivates both the mechanics and metaphysics with such equal success or which looks so far into space, and, at the same time, comes so close to the lives of the people, or which excavates the tombs of the Pharaohs and Incas while it is inventing new plans for the agriculture of the future."<sup>39</sup>

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California's land-grant university was an integral part of the "rise of the publics," at first reflecting the great experiments in Michigan, Wisconsin, Minnesota, and elsewhere, but eventually emerging as a distinct, multi-campus university. In a state constantly growing, in its population, in its economic activity, perhaps more than any other single institution, the University of California both pushed and was pulled by California's emergence as the sixth largest economy in the world.

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## ENDNOTES

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  - 2 "To assert that progress is a law of nature to be obeyed with gladness for the glory of man, of America, and of one's self," observed Norman Foerster in an expansive 1937 writing on the reason for the university, "was to send out the new generation fired with energy and hope and the desire for noble experiments." *Ibid.* 51.
  - 3 "To Friends of the Federal Government: A Plan for a Federal University," in L. H. Butterfield (ed.), *Letters of Benjamin Rush* (Princeton, N.J., 1951), I, 491-95.
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- <sup>12</sup> Thomas Jefferson to Joseph Priestley, Philadelphia, January 18, 1800, cited in Richard Hofstadter and Wilson Smith (ed.) *American Higher Education: A Documentary History*, Vol. 1 (Chicago, 1961), 175.
- <sup>13</sup> J.S. Patton, *Jefferson, Cabell and the University of Virginia* (New York, 1906).
- <sup>14</sup> Philip Alexander Bruce, *History of the University of Virginia, 1819-1919* (New York 1920); Roy Honeywell, *The Educational Work of Thomas Jefferson* (Cambridge 1931)
- <sup>15</sup> To accomplish this, explained Jefferson, would require "characters of the first order of science from Europe, as well as our own country, and not only by the salaries and the comforts of their situation, but by the distinguished scale of its structure and preparation, and the promise of future eminence which these would hold up, to induce them to commit their reputation to its future fortunes." Jefferson's architectural plans for Virginia's state university intentionally imbued a sense of permanence and culture. Though placed on the frontier, the inward quad and elements of Greek and Roman architectural homage, he conjectured, afforded a familiar and graceful campus for learned recruits. If "we built a barn for a college and log huts for accommodations," Jefferson stated, "should we ever have had the assurance to propose to a European professor of character to come to it?" See Albert Ellery Bergh, "The University of Virginia and Thomas Jefferson, Its Father," in *The Writings of Thomas Jefferson: Volume 2 1743-1826* (Thomas Jefferson Memorial Association, 1905). John Adams wrote to Jefferson in 1825 urging that he not import European professors: "I do believe there are sufficient scholars in America, to fill your professorships and tutorships with more active ingenuity and independent minds than you can bring from Europe. The Europeans are all deeply tainted with prejudices, both ecclesiastical and temporal, which they can never get rid of. They are all infected with episcopal and presbyterian creeds, and confessions of faith." Charles Francis Adams (ed.), *The Works of John Adams*, Vol. X (Boston 1856), 414-415
- <sup>18</sup> *The Writings of Thomas Jefferson: Volume 2 1743-1826*.
- <sup>19</sup> *Dartmouth College v. Woodward*, 4 Wheat. (17 U.S.) 518 (1919). The Supreme Court ruled that the New Hampshire legislature violated the contract clause of the U.S Constitution (Article 1, section 10).
- <sup>20</sup> *Ibid.*
- <sup>21</sup> Cited in Frederick Rudolph, *The American College and University: A History* (New York: Alfred A. Knopf, 1962) 204.
- <sup>22</sup> Some 173 colleges were launched in the first three decades of nationhood. The majority of these, some 153 concentrated in New England, and the Middle Atlantic States, were private institutions with denominational ties. Most offered what is best described as a secondary curriculum. The frenzy of local and denominational college building filled a need in society, particularly the void that would later be filled by the public high school. And into the 1840s, establishing colleges continued on a remarkable scale, and largely subsidized not by fee paying students, but sectarian benevolence. See Roger L. Gieger (ed.), *The American College in the Nineteenth Century* (Nashville: Vanderbilt University Press, 2000) 25.
- <sup>23</sup> See Geiger (ed), *The American College in the Nineteenth Century*; J. Bruce Leslie, Gentleman and Community: The College in the 'Age of the University.' (State College, PA: Penn State University Press, 1992); David B. Potts, "American Colleges in the Nineteenth Century: From Localism to Denominationalism," *History of Education Quarterly*, Vol. 11 (1971) 363-80.
- <sup>24</sup> Francis Wayland, *Report to the Corporation of Brown University, on Changes in the System of Collegiate Education*, March 28, 1850.
- <sup>25</sup> The State has lavished her money for the benefit of the rich, to the exclusion of the poor," waxed the governor of Kentucky in 1825 in appraising the worth of the small publicly funded college of Transylvania. The governor's criticism reinforced a drive by a number of denominational colleges to close Transylvania, and rid them of competition. Denominational opposition often combined with significant doubt regarding the usefulness of college, public or private. Some nine years later, the Missouri legislature requested that Congress allow the state to use all its university funds for supporting common schools. The University of Georgia, one of the first public colleges in the nation, was thought by some citizens as a dubious drain of tax dollars: "How are the people to be benefited in a pecuniary point of view, by giving the people's money to support a set of lazy professors?" Cited in Rudolph, *The American College and University*,
- <sup>26</sup> Private institutions also fit the cultural needs of more established cities, helping to form and sustain an emerging class structure. In turn, these institutions found influential supporters—government leaders, New England's ethnic and sectarian salad bowl, and increasingly powerful professional and merchant classes.
- <sup>27</sup> *The Morrill Act of 1862*: Chap. CXXX.--AN ACT Donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and Mechanic Arts.
- <sup>28</sup> Walter P. Metzger, *Academic Freedom in the Age of the University* (New York: Columbia University Press, 1961).
- <sup>29</sup> "The National Schools of Science", *The Nation*: 409, November 21, 1867
- <sup>30</sup> John Aubrey Douglass, *The California Idea and American Higher Education* (Stanford University Press, 2000).
- <sup>31</sup> The Organic Act – Chapter 244 of the Statutes 1867-1868, State of California. *An Act to create and organize the University of California*, March 23, 1868.
- <sup>32</sup> *Ibid.*
- <sup>33</sup> John Aubrey Douglass, *The Conditions for Admissions: Access, Equity, and the Social Contract of Public Universities* (Stanford University Press 2007)
- <sup>34</sup> The Organic Act.
- <sup>35</sup> *Ibid.*
- <sup>36</sup> Henry H. Haight. "University Education: An Address Delivered at the Commencement Exercises of the University of the State of California." 1871, University of California Archives, Bancroft Library, UC Berkeley.
- <sup>37</sup> "Statements of the Regents of the University of California to the Joint Committee of the Legislature, March 3, 1874.
- <sup>38</sup> In California and other states, equal access to a public university focused on the concept of geographic and economic representation; even the 1960 California Master Plan for Higher Education made no mention of race and ethnicity. All would change with the Civil Rights Act and quickly changing demographics that recognized the biases of a culturally diverse society. See Douglass, *The Conditions for Admissions*.
- <sup>39</sup> Edward E. Slosson, *Great American Universities* (New York: Macmillan Company 1910).